

HOUSE BILL No. 1195

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-6-2-88.

Synopsis: Assessment of fault and compensatory damages. Changes the definition of "nonparty" for purposes of assessing the percentage of fault in product liability actions and for determining compensatory damages in comparative fault claims.

Effective: July 1, 2008.

Ulmer

January 10, 2008, read first time and referred to Committee on Judiciary.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-6-2-88 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 88. **(a)** "Nonparty" for
3 purposes of ~~IC 34-51-2~~, means a person who ~~caused or contributed to~~
4 ~~cause the alleged injury; death; or damage to property is or may be~~
5 **liable to the claimant** but who has not been joined in the action as a
6 defendant.
7 **(b) The term does not include an employer of a claimant.**

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